LDWSF 19.6.9.2.1 Ecology Permits, Inspections, Etc

Permit No. WA-003196-8
Issuance Date: October 25, 2007
Effective Date: December 1, 2007
Expiration Date: October 25, 2012

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
WASTE DISCHARGE PERMIT No. WA-003196-8

State of Washington
DEPARTMENT OF ECOLOGY
Northwest Regional Office
3190 – 160th Avenue SE
Bellevue, WA 98008-5452

In compliance with the provisions of
The State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington
and
The Federal Water Pollution Control Act
(The Clean Water Act)
Title 33 United States Code, Section 1342 et seq.

Seattle Iron & Metals Corp.
601 South Myrtle Street
Seattle, WA 98108

Facility Location: 601 South Myrtle Street Seattle, WA 98108	Receiving Water: Duwamish River
Waterbody I.D. No.: WA-09-1010	Discharge Location: Latitude: 47° 32' 16.4" N Longitude: 122° 19' 36.8" W
Industry Type: Metal Scrap and Waste Materials	

is authorized to discharge in accordance with the Special and General Conditions which follow.

Kevin C. Fitzpatrick
Water Quality Section Manager
Northwest Regional Office
Washington State Department of Ecology

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SUMMARY OF PERMIT REPORT SUBMITTALS

Refer to the Special and General Conditions of this permit for additional submittal requirements.

Permit Section	Submittal	Frequency	First Submittal Date
S3.A	Discharge Monitoring Report	Monthly	January 15, 2008
S3.E	Noncompliance Notification	As necessary	
S5.A	Operations and Maintenance Manual	1/permit cycle	September 1, 2008
S5.A	Operations and Maintenance Manual Update or Review Confirmation Letter	Annually	September 1, 2009 and annually thereafter
S5.A	Treatment System Operating Plan	1/permit cycle	April 25, 2012
S5.B	Reporting Bypasses	As necessary	
S6	Application for Permit Renewal	1/permit cycle	April 25, 2012
S8.C	Solid Waste Control Plan	1/permit cycle	September 1, 2008
S10	Spill Plan	1/permit cycle, updates submitted as necessary	September 1, 2008
S11.A	Acute Toxicity Tests Characterization Summary Report	1/permit cycle	March, June, September, and December 2008
S11.D	Acute Toxicity Compliance Monitoring Reports	1/permit cycle	June and December 25, 2009, 2010, and 2011
S11.E	Acute Toxicity TI/TRE Plan	As necessary	
S_.E	Acute Toxicity Effluent Test Results with Permit Renewal Application	2/permit cycle	June & November 2011
S12.B.1	Stormwater Pollution Prevention Plan	1/permit cycle	September 1, 2008
S12.B.2	Stormwater Pollution Prevention Plan Modifications	As necessary	
S12.C.2	Notification of Unpermitted non-stormwater to *Stormwater Drainage System*	As necessary	
G1	Notice of Change in Authorization	As necessary	
G4	Permit Application for Substantive Changes to the Discharge	As necessary	
G5	Engineering Report for Construction or Modification Activities	As necessary	
G7	Notice of Permit Transfer	As necessary	
G20	Reporting Anticipated Noncompliance	As necessary	
G21	Reporting Other Information	As necessary	

SPECIAL CONDITIONS

S1. DISCHARGE LIMITATIONS

All discharges and activities authorized by this permit must be consistent with the terms and conditions of this permit. The discharge of any of the following pollutants more frequently than, or at a level in excess of that identified and authorized by this permit is a violation of the terms and conditions of this permit. In this permit, the word "must" denotes an action that is mandatory and is equivalent to the word "shall" used in previous permits.

A. Process Wastewater Discharges

Beginning on the effective date of this permit and lasting through the expiration date, the direct discharge of process wastewater to the Duwamish River is prohibited.

B. Stormwater Discharges

Beginning on the effective date of this permit and lasting through the expiration date, the Permittee is authorized to discharge stormwater discharges at the permitted location subject to complying with the following limitations:

EFFLUENT LIMITATIONS: OUTFALL # 001	
Parameter	**Maximum Daily [a]**
Total Recoverable Copper	5.8 µg/L
Total Recoverable Lead	220.8 µg/L
Total Recoverable Zinc	95.1 µg/L
Total PCBs	10 µg/L
Total Petroleum Hydrocarbons (TPH)	5 mg/L
Turbidity	5 NTU [b]
pH	Within the range of 6.5 to 8.5 s.u.
[a] The Maximum Daily effluent limitation is defined as the highest allowable concentration of permitted parameters in the discharge per monitoring requirements.	
[b] The maximum daily is the maximum of daily averages.	

C. Mixing Zone Descriptions

This permit does not grant acute or chronic mixing zones to this discharger for discharges of treated stormwater to the receiving water for the permitted parameters.

S2. MONITORING REQUIREMENTS

The Permittee must monitor in accordance with the following schedule:

A. Monitoring Schedule

Category	Parameter	Sample Point	Minimum [a] Sampling Frequency	Sample Type
Final Effluent	Flow MGD	Outfall 001	Per Event	Totalizing Flow Meter
"	Total Petroleum Hydrocarbons mg/L [c]	Outfall 001	Monthly [a]	Grab [b]
"	pH s.u. [d]	Outfall 001	Monthly [a]	Grab [b]
"	Turbidity NTU	Outfall 001	Monthly [a]	Grab [b]
"	Total Recoverable Copper µg/L [e]	Outfall 001	Monthly [a]	Grab [b]
"	Total Recoverable Lead µg/L [f]	Outfall 001	Monthly [a]	Grab [b]
"	Total Recoverable Zinc µg/L [g]	Outfall 001	Monthly [a]	Grab [b]
"	Total PCBs µg/L	Outfall 001	Monthly [a, h]	Grab [b]
"	**Chemicals of Concern (COC) µg/L** 1,2-Dichlorobenzene; 1,4-Dichlorobenzene; 1,2,4-Trichlorobenzene; Butylbenzyl phthalate; Fluoranthene; Hexachlorobenzene; Hexachlorobutadiene; N-nitrosodiphenylamine; Phenol	Outfall 001	Monthly [h]	Grab [b]
"	Acute Toxicity Testing		See Section S10 for details.	

[a] Minimum Sampling Frequency is contingent upon presence and duration of the flow at the time of the discharge. If no discharge occurs in a given month, sampling is not required and it shall be clearly stated in the monthly discharge monitoring report (DMR) as **"NO DISCHARGE."** The monthly DMR shall also indicate the total contaminated stormwater processed during each calendar month together with the number of events and amount of contaminated stormwater processed during each event.

Category	Parameter	Sample Point	Minimum [a] Sampling Frequency	Sample Type
[b] Sample shall be collected during first hour after treatment system starts discharging. The qualified storm for any sampling event must produce at least 0.1 inch/hr of precipitation and must occur at least 24 hours after the previous qualified storm (i.e., a storm that had produced at least 0.1 inch/hr of precipitation).				
[c] NWTPH-Dx. This method is used for jet fuels, diesel oils, motor oils, hydraulic fluids, transmission fluids, cutting oils, heavy fuel oils and other semi-volatile petroleum products. Typical instrument used for this is GC/FID (Flame Ionization Detector) but GC/MS (Mass Spectrometry) or GC/AED can also be used. The reporting limit is 0.25 mg/l for diesel and 0.5 mg/l for heavier oils.				
[d] pH shall be tested using Standard Method 4500-H+ B, or EPA Method 151.1. For facilities which continuously monitor and record pH values, the number of minutes the pH value was below or above the permitted range must be recorded for each day and the total minutes for the month reported, the durations when values were above and below the permitted range, must be reported separately. The instantaneous maximum and minimum pH must be reported monthly.				
[e] The method detection level (MDL) for copper is 1 µg/L using graphite furnace atomic absorption spectrometry and EPA Method Number 220.2 from 40 CFR Part 136. The quantitation level (QL) for copper is 5 µg/L (5 x MDL).				
[f] The MDL for lead is 1 µg/L using graphite furnace atomic absorption spectrometry and EPA Method Number 239.2 from 40 CFR Part 136. The quantitation level (QL) for lead is 5 µg/L (5 x MDL).				
[g] The MDL for zinc is 2 µg/L using inductively coupled plasma and EPA Method Number 200.7 from 40 CFR Part 136. The quantitation level (QL) for zinc is 10 µg/L (5 x MDL).				
[h] The qualified storm for the sampling event must produce at least 0.1 inch/hr of precipitation and must occur at least 24 hours after the previous qualified storm (i.e., a storm that has produced at least 0.1 inch/hr of precipitation). Sampling for COC and total PCB shall be conducted at least once monthly, and it must begin immediately after effective date of this permit for 12 months. Frequency of monthly sampling for those COCs and total PCB that result in no detect values during the first consecutive 12 months of sampling may be reduced to annual for the following year. The reduced monitoring shall be upon request by the Permittee and approval of the Department. Detection of COC and total PCB during annual sampling will result in reverting to monthly sampling routine. The annual sampling for COC and PCB shall be conducted during August of each year, or immediately after the first storm after extended dry summer period, whichever comes first.				

B. Sampling and Analytical Procedures

Samples and measurements taken to meet the requirements of this permit must be representative of the volume and nature of the monitored parameters, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets, and maintenance-related conditions affecting effluent quality.

Sampling and analytical methods used to meet the monitoring requirements specified in this permit must conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136.

C. Flow Measurement

The Permittee must select and use appropriate flow measurement devices and methods consistent with accepted scientific practices. The Permittee must install, calibrate, and maintain the flow devices. This work is necessary to ensure that the accuracy of the measurements is consistent with the accepted industry standard and the manufacturer's recommendation for that type of device. The Permittee must maintain calibration records for at least three years.

D. Laboratory Accreditation

All monitoring data required by Ecology must be prepared by a laboratory registered or accredited under the provisions of, *Accreditation of Environmental Laboratories*, chapter 173-50 WAC. Flow, temperature, settleable solids, conductivity, pH, turbidity, and internal process control parameters are exempt from this requirement. Conductivity and pH must be accredited if the laboratory must otherwise be registered or accredited. Ecology exempts crops, soils, and hazardous waste data from this requirement pending accreditation of laboratories for analysis of these media.

S3. REPORTING AND RECORD KEEPING REQUIREMENTS

The Permittee must monitor and report in accordance with the following conditions. The falsification of information submitted to Ecology is a violation of the terms and conditions of this permit.

A. Reporting

The first monitoring period begins on the effective date of the permit. Monitoring results must be submitted monthly. Monitoring data obtained during each monitoring period must be summarized, reported, and submitted on a Discharge Monitoring Report (DMR) form provided, or otherwise approved, by Ecology. DMR forms must be postmarked or received no later than the 15th day of the month following the completed monitoring period, unless otherwise specified in this permit. Reports for COC analysis data must be submitted no later than forty-five (45) days following the monitoring period. Unless otherwise specified, all toxicity test data must be submitted within sixty (60) days after the sample date. The report(s) must be sent to:

Department of Ecology
Northwest Regional Office
3190 – 160th Avenue SE
Bellevue, WA 98008-5452

All laboratory reports providing data for organic and metal parameters must include the following information: sampling date, sample location, date of analysis, parameter name, CAS number, analytical method/number, method detection limit

(MDL), laboratory practical quantitation limit (PQL), reporting units, and concentration detected.

Analytical results from samples sent to a contract laboratory must have information on the chain of custody, the analytical method, QA/QC results, and documentation of accreditation for the parameter.

Discharge Monitoring Report forms must be submitted monthly whether or not the facility was discharging. If there was no discharge during a given monitoring period, submit the form as required with the words **"no discharge"** entered in place of the monitoring results.

B. Records Retention

The Permittee must retain records of all monitoring information for a minimum of three (3) years. Such information must include all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit. This period of retention must be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the Director.

C. Recording of Results

For each measurement or sample taken, the Permittee must record the following information:

1. The date, exact place, method, and time of sampling or measurement.
2. The individual who performed the sampling or measurement.
3. The dates the analyses were performed.
4. The individual who performed the analyses.
5. The analytical techniques or methods used.
6. The results of all analyses.

For the COC measurement and sampling, the Permittee must record detailed information on rain intensity and exact time of the sampling in relation to start of the rain.

D. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit using test procedures specified by Condition S2 of this permit, then the results of this monitoring must be included in the calculation and reporting of the data submitted in the Permittee's DMR.

E. Notice of Noncompliance Reporting

The Permittee must take the following action upon violation of any permit condition:

Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the noncompliance and correct the problem and, if applicable, immediately repeat sampling and analysis. The results of any repeat sampling must be submitted to Ecology within thirty (30) days of sampling.

1. Immediate Noncompliance Notification:

   The Permittee must report to Ecology occurrences of noncompliance. Any discharge of untreated wastewater must be reported immediately to the Department of Ecology's Regional Office 24-hr. number 425-649-7000 within 24 hours from the time the Permittee becomes aware of any of the following circumstances:

   a. Any noncompliance that may endanger health or the environment, unless previously reported under subpart 1, above.

   b. Any unanticipated **bypass** that exceeds any effluent limitation in the permit (See Part S4.B., "Bypass Procedures").

   c. Any **upset** that exceeds any effluent limitation in the permit (See G.15, "Upset").

   d. Any violation of a maximum daily or instantaneous maximum discharge limitation for any of the pollutants in Section S1.A of this permit.

   e. Any overflow prior to the treatment works, whether or not such overflow endangers health or the environment or exceeds any effluent limitation in the permit.

2. Report Within Five Days:

   The Permittee must also provide a written submission within five days of the time that the Permittee becomes aware of any event required to be reported under subparts 1.a through 1.e above. The written submission must contain:

   a. A description of the noncompliance and its cause.

   b. The period of noncompliance, including exact dates and times.

   c. The estimated time noncompliance is expected to continue if it has not been corrected.

   d. Steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

   e. If the noncompliance involves an overflow prior to the treatment works, an estimate of the quantity (in gallons) of untreated overflow.

3. Report Submittal:

Reports must be submitted to the following address:

Department of Ecology
Northwest Regional Office
3190 – 160th Avenue SE
Bellevue, Washington 98008-5452

F. Other Noncompliance Reporting

The Permittee must report all instances of noncompliance, not required to be reported immediately or within 24 hours, at the time that monitoring reports for S3.A ("Reporting") are submitted. The reports must contain the information listed in paragraph E.3, above. Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

The spill of oil or hazardous materials **must** be reported in accordance with the instructions obtained at the following website:
http://www.ecy.wa.gov/programs/spills/other/reportaspill.htm

G. Maintaining a Copy of This Permit

A copy of this permit must be kept at the permitted facility and be made available upon request to Department of Ecology inspectors.

S4. COMPLIANCE WITH STANDARDS

Permittees must comply with Washington State surface water quality standards (chapter 173-201A WAC), sediment management standards (chapter 173-204 WAC), ground water quality standards (chapter 173-200 WAC), and Human Health-based Criteria in the National Toxics Rule (Federal Register, Vol. 57, No. 246, December 22, 1992, pages 60848-60923). Compliance with standards applies to all discharges. Compliance with surface water quality standards means that stormwater discharges from this facility will not cause or contribute to a violation of water quality standards in the receiving water.

Stormwater treatment systems must be fully functional for all storm situations that do not exceed the treatment system design storm. A stormwater treatment system that fails to function during a storm that exceeds the design storm will not be a permit violation provided the failure is solely due to severe storm and not as a result of and due to improper and lack of maintenance. In order to minimize flow diversion of untreated underground stormwater, the storm detention tank must be empty prior to the beginning of each qualified storm.

S5. OPERATION AND MAINTENANCE

The Permittee must, at all times, properly operate and maintain all facilities or systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes adequate laboratory controls and appropriate quality assurance procedures.
This provision requires the operation of backup or auxiliary facilities or similar systems, which are installed by a Permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

A. Operations and Maintenance Manual

An Operations and Maintenance (O&M) Manual must be prepared by the Permittee in accordance with WAC 173-240-150 and be submitted to Ecology for approval on September 1, 2008. The O&M Manual must be reviewed by the Permittee at least annually and the Permittee must confirm this review by letter to Ecology. The first review confirmation letter must be received by Ecology NWRO no later than September 1, 2009, and annually thereafter. Substantial changes or updates to the O&M Manual must be submitted to Ecology whenever they are incorporated into the manual.

The approved Operations and Maintenance Manual must be kept available at the permitted facility and all operators must follow the instructions and procedures of this manual.

In addition to the requirements of WAC 173-240-150(1) and (2), the O&M Manual must include:

1. Emergency procedures for plant shutdown and cleanup in event of wastewater system upset or failure.

2. Wastewater system maintenance procedures that contribute to the generation of process wastewater.

3. Any directions to maintenance staff when cleaning, or maintaining other equipment or performing other tasks which are necessary to protect the operation of the wastewater system (for example, defining maximum allowable discharge rate for draining a tank, blocking all floor drains before beginning the overhaul of a stationary engine.)

4. The treatment plant process control monitoring schedule.

5. Minimum staffing adequate to operate and maintain the treatment processes and carry out compliance monitoring required by the permit.

The following information must be summarized in the initial chapter of the O&M Manual. This chapter must be entitled the **"Treatment System Operating Plan."** For the purposes of this NPDES permit, a Treatment System Operating Plan (TSOP) is a concise summary of specifically defined elements of the O&M Manual. The TSOP must not conflict with the O&M Manual and must include the following information:

1. A baseline operating condition, which describes the operating parameters and procedures, used to meet the effluent limitations of S1.

2. The TSOP must clearly contain instruction for plant operator's maintenance procedure for the underground stormwater storage tank and associated treatment system. The underground stormwater storage tank must be emptied automatically or manually after each treatment event and remain empty between two major storm events 24 hrs apart.

3. In the event of an upset, due to plant maintenance activities, severe stormwater events, start ups or shut downs, or other causes, the plan must describe the operating procedures and conditions employed to mitigate the upset. The monitoring and reporting must be described in the plan.

4. A description of any regularly scheduled maintenance or repair activities at the facility which would affect the volume or character of the wastes discharged to the wastewater treatment system and a plan for monitoring and treating/controlling the discharge of maintenance-related materials (such as cleaners, degreasers, solvents, etc.).

An updated Treatment System Operating Plan must be submitted to Ecology with the application for renewal on April 25, 2012. This plan must be updated and submitted, as necessary, to include requirements for any major modifications of the treatment system.

The approved Operations and Maintenance Manual must be kept available at the permitted facility and all operators are responsible for being familiar with, and using, this manual.

B. Bypass Procedures

Bypass, which is the intentional diversion of waste streams from any portion of a treatment facility, is prohibited, and Ecology may take enforcement action against a Permittee for bypass unless one of the following circumstances (1, 2, or 3) is applicable.

1. Bypass for essential maintenance without the potential to cause violation of permit limits or conditions.

   Bypass is authorized if it is for essential maintenance and does not have the potential to cause violations of limitations or other conditions of this permit, or adversely impact public health as determined by Ecology prior to the bypass. The Permittee must submit prior notice, if possible, at least ten (10) days before the date of the bypass.

2. Bypass which is unavoidable, unanticipated, and results in noncompliance of this permit.

This bypass is permitted only if:

a. Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.

b. There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment downtime (but not if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance), or transport of untreated wastes to another treatment facility.

c. Ecology is properly notified of the bypass as required in Condition S3.E of this permit.

3. Bypass which is anticipated and has the potential to result in noncompliance of this permit.

The Permittee must notify Ecology at least thirty (30) days before the planned date of bypass. The notice must contain: (1) a description of the bypass and its cause; (2) an analysis of all known alternatives which would eliminate, reduce, or mitigate the need for bypassing; (3) a cost-effectiveness analysis of alternatives including comparative resource damage assessment; (4) the minimum and maximum duration of bypass under each alternative; (5) a recommendation as to the preferred alternative for conducting the bypass; (6) the projected date of bypass initiation; (7) a statement of compliance with SEPA; (8) a request for modification of water quality standards as provided for in WAC 173-201A-110, if an exceedance of any water quality standard is anticipated; and (9) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

For probable construction bypasses, the need to bypass is to be identified as early in the planning process as possible. The analysis required above must be considered during preparation of the engineering report or facilities plan and plans and specifications and must be included to the extent practical. In cases where the probable need to bypass is determined early, continued analysis is necessary up to and including the construction period in an effort to minimize or eliminate the bypass.

Ecology will consider the following prior to issuing an administrative order for this type of bypass:

a. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of this permit.

b. If there are feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.

c. If the bypass is planned and scheduled to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, Ecology will approve or deny the request. The public must be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Approval of a request to bypass will be by administrative order issued by Ecology under RCW 90.48.120.

C. Duty to Mitigate

The Permittee is required to take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

S6. APPLICATION FOR PERMIT RENEWAL

The Permittee must submit an application for renewal of this permit by April 25, 2012

S7. FACILITY LOADING

A. Design Criteria

Flows or waste loadings of the following design criteria for the permitted treatment facility must not be exceeded:

Treatment System Hydraulic Capacity 550 GPM

S8. SOLID WASTE DISPOSAL

A. Solid Waste Handling

The Permittee must handle and dispose of all solid waste material in such a manner as to prevent its entry into state ground or surface water.

B. Leachate

The Permittee must not allow leachate from its solid waste material to enter state waters without providing all known, available, and reasonable methods of treatment, nor allow such leachate to cause violations of the state surface water quality standards, chapter 173-201A WAC, or the state ground water quality standards, chapter 173-200 WAC.

The Permittee must apply for a permit or permit modification as may be required for such discharges to state ground or surface waters.

C. Solid Waste Control Plan

The Permittee must submit a Solid Waste Control Plan to Ecology no later than **September 1, 2008.** This plan must address all solid wastes generated by the Permittee. The plan must include, at a minimum, a description, source, generation rate, and disposal methods of these solid wastes. This plan must not be in conflict with local or state solid waste regulations. Any proposed revision or modification of the Solid Waste Control Plan must be submitted to Ecology for review and approval at least thirty (30) days prior to implementation. The Permittee must comply with the plan and any modifications thereof. The Permittee must submit an update of the Solid Waste Control Plan with the application for permit renewal by May 25, 2012.

S9. NON-ROUTINE AND UNANTICIPATED DISCHARGES

A. Beginning on the effective date of this permit, the Permittee may discharge non-routine wastewater on a case-by-case basis if approved by Ecology. Prior to any such discharge, the Permittee must contact Ecology and, **at a minimum,** provide the following information:

1. The nature of the activity that is generating the discharge.

2. Any alternatives to the discharge, such as reuse, storage, or recycling of the water.

3. The total volume of water expected to be discharged.

4. The results of the chemical analysis of the water. The water must be analyzed for all constituents limited for the Permittee's discharge. The analysis must also include hardness, any metals that are limited by water quality standards, and any other parameter deemed necessary by Ecology. All discharges must comply with the effluent limitations as established in Condition S1 of this permit, water quality standards, sediment management standards, and any other limitations imposed by Ecology.

5. The date of proposed discharge and the rate at which the water will be discharged, in gallons per minute. The discharge rate must be limited to that which will not cause erosion of ditches or structural damage to culverts and their entrances or exits.

6. If the proposed discharge is to a municipal storm drain and is approved by Ecology, the Permittee must notify the municipality of the discharge.

B. The discharge cannot proceed until Ecology has reviewed the information provided and has authorized the discharge. Authorization from Ecology will be by letter to the Permittee or by an Administrative Order.

S10. SPILL PLAN

No later than September 1, 2008, the Permittee must submit to Ecology a Spill Control Plan for the prevention, containment, and control of spills or unplanned discharges of: 1) oil and petroleum products, 2) materials, which when spilled, or otherwise released into the environment, are designated dangerous waste (DW) or extremely hazardous waste (EHW) by the procedures set forth in WAC 173-303-070, or 3) other materials which may become pollutants or cause pollution upon reaching state's waters. The Permittee must review and update the Spill Control Plan, as needed, at least annually. Changes to the plan must be sent to Ecology. The plan and any supplements must be followed throughout the term of the permit.

The updated Spill Control Plan must include the following:

- A description of the reporting system which will be used to alert responsible managers and legal authorities in the event of a spill.
- A description of preventive measures and facilities (including an overall facility plot showing drainage patterns) which prevent, contain, or treat spills of these materials.
- A list of all oil and chemicals used, processed, or stored at the facility which may be spilled into state waters.

For the purpose of meeting this requirement, plans and manuals, or portions thereof, required by 33 CFR 154, 40 CFR 109, 40 CFR 110, 40 CFR Part 112, the Federal Oil Pollution Act of 1990, chapter 173-181, and contingency plans required by chapter 173-303 WAC may be submitted.

If dangerous wastes or extremely hazardous waste materials are not stored on Permittee's site, Permittee must submit a letter to the Department instead of the Spill Plan no later than September 1, 2008 certifying that these materials are not stored on its site.

S11. ACUTE TOXICITY

A. Effluent Characterization

The Permittee must conduct acute toxicity testing on the final effluent quarterly for one year.

The quarterly testing must begin by January, April, July, and October of 2008. The Permittee must submit a written report to Ecology by the first day of March, June, September, and December of 2008 for each quarterly sampling conducted in January, April, July, and October of 2008 respectively.

The Permittee must use a dilution series consisting of a minimum of five concentrations and a control.

The Permittee must conduct the following two, acute toxicity tests on each sample:

1. Fathead minnow, *Pimephales promelas* (96-hour static-renewal test, method: EPA-821-R-02-012).

2. Daphnid, *Ceriodaphnia dubia*, *Daphnia pulex*, or *Daphnia magna* (48-hour static test, method: EPA-821-R-02-012).

After one year of effluent characterization, IF:

1. The median survival of any species in 100% effluent is below 80%, OR

2. Any one test of any species exhibits less than 65% survival in 100% effluent,

Then the Permittee has an effluent limit for acute toxicity.

If the Permittee has an effluent limit for acute toxicity, the Permittee must immediately follow the instructions in subsections B, C, D, E, and G.

If the Permittee has no effluent limit for acute toxicity, then the Permittee must follow the instructions in subsections F and G.

B. Effluent Limit for Acute Toxicity

The effluent limit for acute toxicity is:

No acute toxicity detected in a test concentration representing the acute critical effluent concentration (ACEC).

The ACEC means the maximum concentration of effluent during critical conditions at the boundary of the acute mixing zone. The ACEC equals 100% effluent.

C. Compliance With the Effluent Limit for Acute Toxicity

Compliance with the effluent limit for acute toxicity means the results of the testing specified in subsection D show no statistically significant difference in survival between the control and the ACEC.

If the test results show a statistically significant difference in survival between the control and the ACEC, the test does not comply with the effluent limit for acute toxicity. The Permittee must then immediately conduct the additional testing described in subsection E. The Permittee will comply with the requirements of this section by meeting the requirements of subsection E.

The Permittee must determine the statistical significance by conducting a hypothesis test at the 0.05 level of significance (Appendix H, EPA/600/4-89/001). If the difference in survival between the control and the ACEC is less than 10%, the Permittee must conduct the hypothesis test at the 0.01 level of significance.

D. Compliance Testing for Acute Toxicity

The Permittee must:

1. Perform the acute toxicity tests with 100% effluent, the ACEC, and a control, or with a full dilution series.

2. Submit a written report of all test results to Ecology by June and December 25, 2009, 2010, and 2011.

The Permittee must perform compliance tests in April and October 2009, 2010, and 2011, using each of the species and protocols listed below on a rotating basis:

1. Fathead minnow, *Pimephales promelas* (96-hour static-renewal test, method: EPA-821-R-02-012).

2. Daphnid, *Ceriodaphnia dubia*, *Daphnia pulex*, or *Daphnia magna* (48-hour static test, method: EPA-821-R-02-012).

E. Response to Noncompliance With the Effluent Limit for Acute Toxicity

If a toxicity test conducted under subsection D determines a statistically significant difference in response between the ACEC and the control, using the statistical test described in subsection C, the Permittee must begin additional testing within one week from the time of receiving the test results.

The Permittee must conduct one additional test each week for four consecutive weeks, using the same test and species as the failed compliance test. To determine appropriate point estimates, the Permittee must test at least five effluent concentrations and a control. One of these effluent concentrations must equal the ACEC. The results of the test at the ACEC will determine compliance with the effluent limit for acute toxicity as described in subsection C. The Permittee must return to the original monitoring frequency in subsection D after completion of the additional compliance monitoring.

Anomalous test results: If a toxicity test conducted under subsection D indicates noncompliance with the acute toxicity limit and the Permittee believes that the test result is anomalous, the Permittee may notify Ecology that the compliance test result may be anomalous. The Permittee may take one additional sample for toxicity testing and wait for notification from Ecology before completing the additional testing. The Permittee must submit the notification with the report of the compliance test result and identify the reason for considering the compliance test result to be anomalous.

If Ecology determines that the test result was not anomalous, the Permittee must complete all of the additional monitoring required in this subsection. Or,

If the one additional sample fails to comply with the effluent limit for acute toxicity, then the Permittee must complete all of the additional monitoring required in this subsection. Or,

If Ecology determines that the test result was anomalous, the one additional test result will replace the anomalous test result.

If all of the additional testing complies with the permit limit, the Permittee must submit a report to Ecology on possible causes and preventive measures for the transient toxicity event, which triggered the additional compliance monitoring. This report must include a search of all pertinent and recent facility records, including:

- Operating records
- Monitoring results
- Inspection records
- Spill reports
- Weather records
- Production records
- Raw material purchases
- Pretreatment records, etc.

If the additional testing shows violation of the acute toxicity limit, the Permittee must submit a Toxicity Identification/Reduction Evaluation (TI/RE) plan to Ecology within sixty (60) days after the sample date (WAC 173-205-100(2)).

F. Testing When There Is No Permit Limit for Acute Toxicity

The Permittee must:

- Conduct acute toxicity testing on final effluent during once in the last summer and once in the last winter prior to submission of the application for permit renewal.
- Submit the results to Ecology with the permit renewal application.
- Conduct acute toxicity testing on a series of at least five concentrations of effluent, including 100% effluent, and a control.
- Use each of the following species and protocols for each acute toxicity test:

  1. Fathead minnow, *Pimephales promelas* (96-hour static-renewal test, method: EPA-821-R-02-012).

  2. Daphnid, *Ceriodaphnia dubia*, *Daphnia pulex*, or *Daphnia magna* (48-hour static test, method: EPA-821-R-02-012).

G. Sampling and Reporting Requirements

1. The Permittee must submit all reports for toxicity testing in accordance with the most recent version of Department of Ecology Publication No. WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria.* Reports must contain bench sheets and reference toxicant results for test methods. If the lab provides the toxicity test data in electronic format for entry into Ecology's database, then the Permittee must send the data to Ecology along with the test report, bench sheets, and reference toxicant results.

2. The Permittee must collect 24-hour composite effluent samples or grab samples for toxicity testing. The Permittee must cool the samples to 0 - 6 degrees Celsius during collection and send them to the lab immediately upon completion. The lab must begin the toxicity testing as soon as possible but no later than 36 hours after sampling was completed.

3. The laboratory must conduct water quality measurements on all samples and test solutions for toxicity testing, as specified in the most recent version of Department of Ecology Publication No. WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria.*

4. All toxicity tests must meet quality assurance criteria and test conditions specified in the most recent versions of the EPA methods listed in subsection C and Ecology of Ecology Publication No. WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria.* If Ecology determines any test results to be invalid or anomalous, the Permittee must repeat the testing with freshly collected effluent.

5. The laboratory must use control water and dilution water meeting the requirements of the EPA methods listed in subsection A or pristine natural water of sufficient quality for good control performance.

6. The Permittee must conduct whole effluent toxicity tests on an unmodified sample of final effluent.

7. The Permittee may choose to conduct a full dilution series test during compliance testing in order to determine dose response. In this case, the series must have a minimum of five effluent concentrations and a control. The series of concentrations must include the acute critical effluent concentration (ACEC). The ACEC equals 100% effluent.

8. All whole effluent toxicity tests, effluent screening tests, and rapid screening tests that involve hypothesis testing must comply with the acute statistical power standard of 29% as defined in WAC 173-205-020. If the test does not meet the power standard, the Permittee must repeat the test on a fresh sample with an increased number of replicates to increase the power.

9. Reports of individual characterization or compliance test results must be submitted to Ecology within sixty (60) days after each sample date.

10. The Acute Toxicity Summary Report must be submitted to Ecology with new permit application – approximately April 2012).

S12. STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

A. Plan Development

The Permittee shall prepare a SWPPP in accordance with the guidance provided in the *Stormwater Pollution Prevention Planning for Industrial Facilities* Publication No. 04-10-030, 2004, which is published by the Department of Ecology and available on Ecology's website at http://www.ecy.wa.gov/pubs/0410030.pdf The SWPPP shall be submitted to the Department for review and approval no later than September 1, 2008.

The plan shall contain the following elements:

a. Assessment and description of existing and potential pollutant sources.

b. A description of the operational BMPs.

c. A description of selected source-control BMPs.

d. When necessary, a description of the erosion and sediment control BMPs.

e. When necessary, a description of the treatment BMPs.

f. An implementation schedule.

B. General Requirements

1. Submission, Retention, and Availability:

The SWPPP and all of its modifications shall be signed in accordance with General Condition G.I. Retain the SWPPP on-site or within reasonable access to the site.

2. Modifications:

The Permittee shall modify the SWPPP whenever there is a change in design, construction, operation or maintenance, which causes the SWPPP to be less effective in controlling the pollutants. Whenever the description of potential pollutant sources or the pollution prevention measures and controls identified in the SWPPP are inadequate, the SWPPP shall be modified, as appropriate, within two (2) months of such determination. The proposed modifications to the SWPPP shall be submitted to the Department at least thirty (30) days in advance of implementing the proposed changes in the plan unless Ecology approves immediate implementation. The Permittee shall provide for implementation of any modifications to the SWPPP in a timely manner.

3. The Permittee may incorporate applicable portions of plans prepared for other purposes. Plans or portions of plans incorporated into a SWPPP become enforceable requirements of this permit.

C. Implementation

The Permittee shall conduct two inspections per year—one during the wet season (October 1 - April 30) and the other during the dry season (May 1 - September 30).

1. The wet season inspection shall be conducted during a rainfall event by personnel named in the Stormwater Pollution Prevention Plan (SWPPP) to verify that the description of potential pollutant sources required under this permit are accurate; the site map as required in the SWPPP has been updated or otherwise modified to reflect current conditions; and the controls to reduce pollutants in stormwater discharges associated with industrial activity identified in the SWPPP are being implemented and are adequate. The wet weather inspection shall include observations of the presence of floating materials, suspended solids, oil and grease, discolorations, turbidity, odor, etc. in the stormwater discharge(s).

2. Personnel named in the SWPPP shall conduct the dry season inspection. The dry season inspection shall determine the presence of unpermitted non-stormwater discharges, such as domestic wastewater, noncontact cooling water, or process wastewater (including *leachate*) to the *stormwater drainage system*. If an unpermitted, non-stormwater discharge is discovered, the Permittee shall immediately notify the Department.

D. Plan Evaluation

The Permittee shall evaluate whether measures to reduce pollutant loadings identified in the SWPPP are adequate and properly implemented in accordance with the terms of the permit or whether additional controls are needed. A record shall be maintained summarizing the results of inspections and include a certification, in accordance with Condition G1 that the facility is in compliance with the plan and in compliance with this permit. The record shall identify any incidents of noncompliance.

GENERAL CONDITIONS

G1. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to Ecology must be signed and certified.

A. All permit applications must be signed by either a responsible corporate officer of at least the level of vice president of a corporation, a general partner of a partnership, or the proprietor of a sole proprietorship.

B. All reports required by this permit and other information requested by Ecology must be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

1. The authorization is made in writing by a person described above and submitted to Ecology.

2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)

C. Changes to authorization. If an authorization under paragraph B.2, above, is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph B.2, above, must be submitted to Ecology prior to or together with any reports, information, or applications to be signed by an authorized representative.

D. Certification. Any person signing a document under this section must make the following certification:

> *I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.*

G2. RIGHT OF INSPECTION AND ENTRY

The Permittee must allow an authorized representative of Ecology, upon the presentation of credentials and such other documents as may be required by law:

A. To enter upon the premises where a discharge is located or where any records must be kept under the terms and conditions of this permit.

B. To have access to and copy - at reasonable times and at reasonable cost - any records required to be kept under the terms and conditions of this permit.

C. To inspect - at reasonable times - any facilities, equipment (including monitoring and control equipment), practices, methods, or operations regulated or required under this permit.

D. To sample or monitor - at reasonable times - any substances or parameters at any location for purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act.

G3. PERMIT ACTIONS

This permit may be modified, revoked and reissued, or terminated either at the request of any interested person (including the permittee) or upon Ecology's initiative. However, the permit may only be modified, revoked and reissued, or terminated for the reasons specified in 40 CFR 122.62, 122.64 or WAC 173-220-150 according to the procedures of 40 CFR 124.5.

A. The following are causes for terminating this permit during its term, or for denying a permit renewal application:

1. Violation of any permit term or condition.

2. Obtaining a permit by misrepresentation or failure to disclose all relevant facts.

3. A material change in quantity or type of waste disposal.

4. A determination that the permitted activity endangers human health or the environment or contributes to water quality standards violations and can only be regulated to acceptable levels by permit modification or termination [40 CFR Part 122.64(3)].

5. A change in any condition that requires either a temporary or permanent reduction or elimination of any discharge or sludge use or disposal practice controlled by the permit [40 CFR Part 122.64(4)].

6. Nonpayment of fees assessed pursuant to RCW 90.48.465.

7. Failure or refusal of the Permittee to allow entry as required in RCW 90.48.090.

B. The following are causes for modification but not revocation and reissuance except when the Permittee requests or agrees:

1. A material change in the condition of the waters of the state.

2. New information not available at the time of permit issuance that would have justified the application of different permit conditions.

3. Material and substantial alterations or additions to the permitted facility or activities which occurred after this permit issuance.

4. Promulgation of new or amended standards or regulations having a direct bearing upon permit conditions, or requiring permit revision.

5. The Permittee has requested a modification based on other rationale meeting the criteria of 40 CFR Part 122.62.

6. Ecology has determined that good cause exists for modification of a compliance schedule, and the modification will not violate statutory deadlines.

7. Incorporation of an approved local pretreatment program into a municipality's permit.

C. The following are causes for modification or alternatively revocation and reissuance:

1. Cause exists for termination for reasons listed in A1 through A7, of this section, and Ecology determines that modification or revocation and reissuance is appropriate.

2. Ecology has received notification of a proposed transfer of the permit. A permit may also be modified to reflect a transfer after the effective date of an automatic transfer (General Condition G8) but will not be revoked and reissued after the effective date of the transfer except upon the request of the new Permittee.

G4. REPORTING PLANNED CHANGES

The Permittee must, as soon as possible, but no later than sixty (60) days prior to the proposed changes, give notice to Ecology of planned physical alterations or additions to the permitted facility, production increases, or process modification which will result in:
1) the permitted facility being determined to be a new source pursuant to 40 CFR 122.29(b);
2) a significant change in the nature or an increase in quantity of pollutants discharged; or
3) a significant change in the Permittee's sludge use or disposal practices. Following such notice, and the submittal of a new application or supplement to the existing application, along with required engineering plans and reports, this permit may be modified, or revoked and reissued pursuant to 40 CFR 122.62(a) to specify and limit any pollutants not previously limited. Until such modification is effective, any new or increased discharge in excess of permit limits or not specifically authorized by this permit constitutes a violation.

G5. PLAN REVIEW REQUIRED

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications must be submitted to Ecology for approval in accordance with chapter 173-240 WAC. Engineering reports, plans, and specifications must be submitted at least one hundred eighty (180) days prior to the planned start of construction unless a shorter time is approved by Ecology. Facilities must be constructed and operated in accordance with the approved plans.

G6. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in this permit must be construed as excusing the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

G7. TRANSFER OF THIS PERMIT

In the event of any change in control or ownership of facilities from which the authorized discharge emanate, the Permittee must notify the succeeding owner or controller of the existence of this permit by letter, a copy of which must be forwarded to Ecology.

A. Transfers by Modification

Except as provided in paragraph B below, this permit may be transferred by the Permittee to a new owner or operator only if this permit has been modified or revoked and reissued under 40 CFR 122.62(b)(2), or a minor modification made under 40 CFR 122.63(d), to identify the new Permittee and incorporate such other requirements as may be necessary under the Clean Water Act.

B. Automatic Transfers

This permit may be automatically transferred to a new Permittee if:

1. The Permittee notifies Ecology at least thirty (30) days in advance of the proposed transfer date.

2. The notice includes a written agreement between the existing and new Permittee's containing a specific date transfer of permit responsibility, coverage, and liability between them.

3. Ecology does not notify the existing Permittee and the proposed new Permittee of its intent to modify or revoke and reissue this permit. A modification under the subparagraph may also be minor modification under 40 CFR 122.63. If this notice is not received, the transfer is effective on the date specified in the written agreement.

G8. REDUCED PRODUCTION FOR COMPLIANCE

The Permittee, in order to maintain compliance with its permit, must control production and/or all discharges upon reduction, loss, failure, or bypass of the treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

G9. REMOVED SUBSTANCES

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must not be resuspended or reintroduced to the final effluent stream for discharge to state waters.

G10. DUTY TO PROVIDE INFORMATION

The Permittee must submit to Ecology, within a reasonable time, all information which Ecology may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The Permittee must also submit to Ecology upon request, copies of records required to be kept by this permit.

G11. OTHER REQUIREMENTS OF 40 CFR

All other requirements of 40 CFR 122.41 and 122.42 are incorporated in this permit by reference.

G12. ADDITIONAL MONITORING

Ecology may establish specific monitoring requirements in addition to those contained in this permit by administrative order or permit modification.

G13. PAYMENT OF FEES

The Permittee must submit payment of fees associated with this permit as assessed by Ecology.

G14. PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any person who is found guilty of willfully violating the terms and conditions of this permit is deemed guilty of a crime, and upon conviction thereof will be punished by a fine of up to ten thousand dollars ($10,000) and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs is a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit must incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars ($10,000) for every such violation. Each and every such violation is a separate and distinct offense, and in case of a continuing violation, every day's continuance is deemed to be a separate and distinct violation.

G15. UPSET

Definition – "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of the following paragraph are met.

A Permittee who wishes to establish the affirmative defense of upset must demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that:
1) an upset occurred and that the Permittee can identify the cause(s) of the upset;
2) the permitted facility was being properly operated at the time of the upset;
3) the Permittee submitted notice of the upset as required in Condition S3.E; and
4) the Permittee complied with any remedial measures required under S4.C of this permit.

In any enforcement proceedings the Permittee seeking to establish the occurrence of an upset has the burden of proof.

G16. PROPERTY RIGHTS

This permit does not convey any property rights of any sort, or any exclusive privilege.

G17. DUTY TO COMPLY

The Permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

G18. TOXIC POLLUTANTS

The Permittee must comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if this permit has not yet been modified to incorporate the requirement.

G19. PENALTIES FOR TAMPERING

The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit will, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than two (2) years per violation, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this condition, punishment will be a fine of not more than $20,000 per day of violation, or by imprisonment of not more than four (4) years, or by both.

G20. REPORTING ANTICIPATED NONCOMPLIANCE

The Permittee must give advance notice to Ecology by submission of a new application or supplement thereto at least one hundred eighty (180) days prior to commencement of such discharges, of any facility expansions, production increases, or other planned changes, such as process modifications, in the permitted facility or activity which may result in noncompliance with permit limits or conditions. Any maintenance of facilities, which might necessitate unavoidable interruption of operation and degradation of effluent quality, must be scheduled during non-critical water quality periods and carried out in a manner approved by Ecology.

G21. REPORTING OTHER INFORMATION

Where the Permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to Ecology, such facts or information must be submitted promptly.

G22. REPORTING REQUIREMENTS APPLICABLE TO EXISTING MANUFACTURING, COMMERCIAL, MINING, AND SILVICULTURAL DISCHARGERS

The Permittee belonging to the categories of existing manufacturing, commercial, mining, or silviculture must notify Ecology as soon as they know or have reason to believe:

A. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following "notification levels":

1. One hundred micrograms per liter (100 µg/L).

2. Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony.

3. Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7).

4. The level established by the Director in accordance with 40 CFR 122.44(f).

B. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following "notification levels":

1. Five hundred micrograms per liter (500 μg/L).

2. One milligram per liter (1 mg/L) for antimony.

3. Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7).

4. The level established by the Director in accordance with 40 CFR 122.44(f).

G23. COMPLIANCE SCHEDULES

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit must be submitted no later than fourteen (14) days following each schedule date.